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## MIKE LEE'S MYTHS

Senator Mike Lee of Utah wants to take away public lands. His reasons are all wrong.

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Senator Mike Lee of Utah, an influential Republican with close ties to the Trump administration, wants to abolish the federal public lands that millions of Americans cherish. He said so himself in a speech last month before the Koch-backed Sutherland Institute, a Salt Lake City think tank that has led a fierce campaign in recent years against national monuments and other crucial conservation institutions.

Speaking at length to a friendly audience, Lee railed against environmental "extremists," likened federal land to the "royal forests" of European kings, and called on his fellow anti-conservationists to wage a long-game crusade against robust democratic control of hundreds of millions of acres of public land in the West.

"Our long-term goal," he told his audience, "must be the transfer of federal lands to the states."

"It will take years," he added, "and the fight will be brutal."

Lee's speech offers a useful reminder that the ongoing corporate-backed political attacks on laws like the Antiquities Act, the Wilderness Act, and the National Environmental Protection Act are preparing the way for one ultimate ambition: stripping the American people of their collective claim to the national forests, wilderness areas, and other public holdings scattered from coast to coast.

The speech offers something else too: It provides detailed insight into the arguments hardline politicians are pushing in their effort to convince voters that federal public lands should be largely eliminated.

With a solid conservative block on the Supreme Court, a right-wing majority in power in Washington, and a vast billionaire-backed political network agitating against environmental regulations of all kind, the conservation movement today faces its greatest challenge in a generation. If it is to succeed in opposing these wealthy well-entrenched forces, it needs to be able to challenge their narrative—and Lee's speech is the essence of that narrative. It's worth studying closely.

Lee began his speech with the notion that national forests and other federal lands are an elitist, exclusionary institution, akin to the "royal forests" and private aristocratic hunting reserves of feudal Europe.

"Today the federal government's 'royal forest' encompasses a full third of the land in the entire United States—and two-thirds of the land in the state of Utah," Lee said. "And just as in feudal England, the federal government's vast estate is preserved for the enjoyment of the very few: For an upper-crust elite who want to transform the American West into so many picturesque tourist villages and uninhabited vistas."

Lee's perspective is puzzling. Likening national forests and other public lands to royal hunting preserves would make sense, perhaps, if the U.S. were a monarchy, controlled by a single family and its aristocrat allies. But the U.S. remains a representative democracy. Every two years eligible citizens vote to elect and empower Congress, and Congress is the body that has written all the laws, from the Forest Reserve Act to the Wilderness Act, that over the course of a century have created and regulated the public lands. To call such lands royal is to either misunderstand or intentionally misuse that word. Indeed, the public lands are the people's forests, open to all, available to all. It's awfully rich that Lee would caricature as elite the people who love and enjoy these federal lands—the rafters, hikers, campers, trail workers, and firefighters—while speaking at a think tank that receives financing from Koch-linked groups.

Lee continued his speech with a series of dubious history lessons. He claimed, for instance, that the 19th-century legislation that created the state of Utah mandated that all federal lands within its borders be handed over to state ownership. The continued existence of federal land, in his view, is a result of broken promises.

"When Utah came into the Union in 1896, Section 9 of its statehood enabling legislation declared that public land located within the state 'shall be sold by the United States subsequent to the admission of said state into the union,'" Lee said. "The promise to sell federal lands in Utah is right there, enshrined in federal law. But, unlike states farther East, the commitment to us was never honored."

This claim crumbles under good-faith scrutiny. Lee presented the above quote entirely out of context, pulling it from a longer passage in the state's enabling legislation that utterly invalidates his interpretation. Indeed, Utah's enabling legislation specifically states that the "people inhabiting said proposed State do agree and declare that they forever disclaim all right and title to the unappropriated public lands lying within the boundaries thereof." In other words, when Utah politicians like Lee try to seize the federal lands lying within their state's border, it is they who are failing to honor their commitments.

Lee went on to paint a rosy picture of the Homestead Act, calling it an "engine of middle-class opportunity and growth." He ignores some of the more morbid implications of the act, which handed hundreds of millions of acres of land to mostly white American settlers, resulted in large and often bloody land rushes, and was born above all from the violent displacement of Native-American tribes. He ignores what the historian Adam Sowards calls the "racist and imperialist" roots of Manifest Destiny.

In Lee's view, the halcyon days of the Homestead Act came to an end largely because of nefarious environmentalists, who waged "a radical assault on economic opportunity and the American middle class" and "made swift progress in the 1960s and '70s by exploiting public fears about overpopulation and pollution." The machinations of the green movement led to laws like the Wilderness Act, which protects public land from industrial use and which the senator sees as a symbol of oppressive federal land management.

Environmental activists "used land-use restrictions as an all-purpose tool for stopping economic activity," Lee said, quoting political scientist R. McGreggor Cawley. "Between the mid-1960s and 1980, the amount of wilderness [increased] from 11.5 million acres to 82.7 million acres—an increase of 716 percent in less than two decades."

While 716 percent is quite a lot, that rapid increase in wilderness after the 1960s makes sense since the Wilderness Act didn't *become law* until 1964. There wasn't a single acre of federal wilderness in the entire country before that date; after the law was passed with overwhelming support in Congress a lot of new wilderness areas were established. Wilderness areas, though, are hardly ubiquitous. Protected wilderness makes up only about 16.6 percent of the federal lands in the country, and roughly half of those wilderness lands are in Alaska. That 16.6 percent figure is less frightening than 716 percent, and Lee neglects to mention it.

Ultimately, the senator musters these historical myths to argue that the federal government's "royal forests," controlled by environmentalist snobs, have led to inequality and economic distress for Western states like Utah.

While "elites" get their "playgrounds in Aspen and Moab," he asserted, local residents in Western states "are being throttled by their federal landlord," forced to "watch their children grow up, anxious in the knowledge that there is no future for them in their hometown."

The full story isn't so simple. Utah, like many Western states, has benefited immensely over the years from federal land conservation within its borders. During the New Deal era, for instance, the state was one of the top beneficiaries of President Franklin Roosevelt's Civilian Conservation Corps, boasting more than 150 CCC camps alone, which put thousands of desperate young men to work on the federal lands.

As Douglas Brinkley writes in *Rightful Heritage*, his history of New Deal conservation: "Because Utah became a 'red state' in the 21st century, reliably Republican, the fact that FDR did more to help Utah prosper than all other presidents combined has been largely overlooked."

Consider, too, Utah's capital, Salt Lake City, which gets at least 50 percent of its water from streams that flow down from pristine national forest watersheds in the Wasatch Range. If the good folks at the Sutherland Institute like their clean drinking water, they can thank the U.S. Forest Service for it.

And consider the state's booming outdoor recreation economy, which provides 110,000 direct jobs and more than \$3.9 billion in wages and salaries, according to the Outdoor Industry Association. That recreation economy is based on access to protected federal lands, and particularly the state's beloved national parks, including Zion, which was first protected as a national monument under the Antiquities Act.

In fact, Utah, with its abundance of federal land, has one of the fastest growing job markets in the country. It has "the most substantial job growth in the nation at 3.1 percent employment expansion, which is double the national rate," according to UtahPolicy.com.

Lee's depiction of an American West economically and socially burdened by the oppressive presence of federal land doesn't line up with any of these facts.

Nevertheless, toward the end of his speech, Lee deploys this dark depiction to justify the dismantling of America's conservation system. Announcing his intention to introduce a series of new bills in Congress, Lee calls for the crippling of the Antiquities Act, the establishment of a new Homestead Act, and the eventual transfer of federal land to the control of state governments, which could then sell them off as they see fit.

"We all know the impact federal lands have on the lives of everyday Utahns. And we all know the real solution is to actually transfer these lands to the people," Lee said. "Small reforms here and there are important. But we have to start pushing for what we actually want. We must fight to return these lands."

Put a different way, Lee is proposing to steal hundreds of millions of acres of federal public land from the collective citizenry, and dole it out to the state government and private interests instead.

His is a dystopian vision, one that would create a bumper crop of "No Trespassing" signs across the West. But there are alternative visions, such as the 21st Century Civilian Conservation Corps Act, a bill introduced by Representative Marcy Kaptur (D-Ohio) that would provide \$16 billion per year in funding over the next four fiscal years to create "gainful employment to unemployed and underemployed citizens of the United States through the performance of useful public work, and for other purposes."

Given the sad state of infrastructure and repair throughout the intermountain West—bridges are crumbling, trails are washed out, facilities are in disrepair—Kaptur's legislation offers a practical guide to job creation on public lands. And unlike Lee's ideas, Kaptur's leave public lands intact.